

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Valerie M. Macias

Docket No. 5:12-MJ-1863-1

Petition for Action on Probation

COMES NOW Thomas E. Sheppard, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Valerie M. Macias, who, upon an earlier plea of guilty to Driving While Impaired - Level 5 in violation of N.C.G.S. 20-138.1 as assimilated by 18 U.S.C. §13, was sentenced by the Honorable William A. Webb, U.S. Magistrate Judge, on April 9, 2013, to a 12 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 24 hours of community service during the first 30 days of Probation as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
3. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office.
4. The defendant shall not operate a motor vehicle on the highways of the State of North Carolina until her privilege to do so is restored in accordance with law.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On May 23, 2013, the defendant submitted a urine specimen which tested positive for cocaine. She admitted that she used cocaine three days prior to the test date. The defendant has obtained a DWI assessment and treatment was recommended. We will notify the treatment provider of the defendant's recent drug use. We recommend adding a drug aftercare condition. If the defendant tests positive again for an illegal substance, we will require participation in treatment with our contract provider in addition to the treatment for the DWI. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

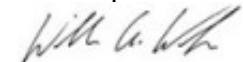
/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Thomas E. Sheppard
Thomas E. Sheppard
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: June 19, 2013

ORDER OF COURT

Considered and ordered this 19th day of June, 2013, and ordered filed and made a part of the records in the above case.



William A. Webb
U.S. Magistrate Judge